

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Workman offered the following:

2
3 **Amendment**

4 Remove lines 3448-3485 and insert:

5 b. The proportionate-share contribution or construction is
6 sufficient to accomplish one or more mobility improvements that
7 will benefit a regionally significant transportation facility.

8 c.(I) The local government has provided a means by which
9 the landowner will be assessed a proportionate share of the cost
10 of providing the transportation facilities necessary to serve
11 the proposed development. An applicant shall not be held
12 responsible for the additional cost of reducing or eliminating
13 deficiencies.

14 (II) When an applicant contributes or constructs its
15 proportionate share pursuant to this subparagraph, a local
16 government may not require payment or construction of

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17 transportation facilities whose costs would be greater than a
18 development's proportionate share of the improvements necessary
19 to mitigate the development's impacts.

20 (A) The proportionate-share contribution shall be
21 calculated based upon the number of trips from the proposed
22 development expected to reach roadways during the peak hour from
23 the stage or phase being approved, divided by the change in the
24 peak hour maximum service volume of roadways resulting from
25 construction of an improvement necessary to maintain or achieve
26 the adopted level of service, multiplied by the construction
27 cost, at the time of development payment, of the improvement
28 necessary to maintain or achieve the adopted level of service.

29 (B) In using the proportionate-share formula provided in
30 this subparagraph, the applicant, in its traffic analysis, shall
31 identify those roads or facilities that have a transportation
32 deficiency in accordance with the transportation deficiency as
33 defined in sub-subparagraph e. The proportionate-share formula
34 provided in this subparagraph shall be applied only to those
35 facilities that are determined to be significantly impacted by
36 the project traffic under review. If any road is determined to
37 be transportation deficient without the project traffic under
38 review, the costs of correcting that deficiency shall be removed
39 from the project's proportionate-share calculation and the
40 necessary transportation improvements to correct that deficiency
41 shall be considered to be in place for purposes of the
42 proportionate-share calculation. The improvement necessary to
43 correct the transportation deficiency is the funding
44 responsibility of the entity that has maintenance responsibility

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45 for the facility. The development's proportionate share shall be
46 calculated only for the needed transportation improvements that
47 are greater than the identified deficiency.

48 (C) When the provisions of this subparagraph have been
49 satisfied for a particular stage or phase of development, all
50 transportation impacts from that stage or phase for which
51 mitigation was required and provided shall be deemed fully
52 mitigated in any transportation analysis for a subsequent stage
53 or phase of development. Trips from a previous stage or phase
54 that did not result in impacts for which mitigation was required
55 or provided may be cumulatively analyzed with trips from a
56 subsequent stage or phase to determine whether an impact
57 requires mitigation for the subsequent stage or phase.

58 (D) In projecting the number of trips to be generated by
59 the development under review, any trips assigned to a toll-
60 financed facility shall be eliminated from the analysis.

61 (E) The applicant shall receive a credit on a dollar-for-
62 dollar basis for impact fees, mobility fees, and other
63 transportation concurrency mitigation requirements paid or
64 payable in the future for the project. The credit shall be
65 reduced up to 20 percent by the percentage share that the
66 project's traffic represents of the added capacity of the
67 selected improvement, or by the amount specified by local
68 ordinance, whichever yields the greater credit.

69 d. This subsection does not require a local government to
70 approve a development that is not otherwise qualified for
71 approval pursuant to the applicable local comprehensive plan and
72 land development regulations.

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73 e. As used in this subsection, the term "transportation
74 deficiency" means a facility or facilities on which the adopted
75 level-of-service standard is exceeded by the existing,
76 committed, and vested trips, plus additional projected
77 background trips from any source other than the development
78 project under review, and trips that are forecast by established
79 traffic standards, including traffic modeling, consistent with
80 the University of Florida's Bureau of Economic and Business
81 Research medium population projections. Additional projected
82 background trips are to be coincident with the particular stage
83 or phase of development under review.

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